

**United States District Court
for the
Eastern District of New York**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

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FILED

Name of Offender: **Paulina Lajara**

Case Number: **99-CR-455-01**

Name of Sentencing Judicial Officer: **The Honorable Allyne R. Ross, United States District Judge**

Date of Original Sentence: **January 21, 2000**

Original Offense: **Conspiracy to Import Cocaine, in violation of 21 USC 963, a class C felony**

Original Sentence: **Thirty-seven months imprisonment, three years supervised release, \$100
Special Assessment Fee**

Type of Supervision: **Supervised Release** Date Supervision Commenced: **October 31, 2002**

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

The supervised releasee shall participate in a drug treatment program as directed by the probation officer, which program may include drug testing to determine whether she has reverted to the use of drugs/alcohol

CAUSE

Based on the offender's marijuana use, we hereby request a sentence modification to include a special condition of drug treatment as outlined in the enclosed Waiver of Hearing.

Based on her residence in the Bronx, New York, the offender has been under the supervision of the Probation Department in the Southern District of New York since her release from custody in October 2002.


In April 2004, conditions were modified with Waiver of Hearing with the addition of a special condition of mental health treatment, as the offender had advised the probation officer that she was experiencing feelings of depression. At that time the Court was notified that the offender, against the direction of the probation officer, had been associating with Juan Sepulveda, whom she had met at the halfway house. She was directed to have Sepulveda move out of her residence and he relocated to the District of Florida.

The probation officer advised that Sepulveda subsequently returned to New York and the offender and he, despite the probation officer's directives, resumed their relationship. Thereafter the offender failed to report as directed, failed to submit monthly supervision reports and, on March 25, 2005, submitted a urine specimen which tested positive for the presence of marijuana. The probation officer notes that the offender had also previously tested positive for marijuana on March 19, 2004, and on February 24, 2004, had an abnormal creatine level result which can be an indication of a flush to avoid a positive urine result. The offender also failed to report for random urine collections on June 4, 2004, June 14, 2004, March 16, 2005, and April 7, 2005.

According to the probation officer, the initiation of violation proceedings, despite the offender's criminal association and illicit drug use, is not being requested. The probation officer believes treatment to be the appropriate course of action at this time. Sepulveda, who is under the supervision of this district, was recently released from a 90-day residential drug treatment program to the offender's residence in the Bronx. A transfer of his supervision at our request is being accepted by the Probation Department of the Southern District of New York. This transfer was requested as appearances indicate it would be difficult to keep the two apart. As noted above, the offender has agreed to and has been referred for outpatient drug treatment. The offender's residence has also remained stable and she has been employed as a home health aide since July 2004. It is noted that the offender underwent mental health treatment between May and July 2004. She terminated treatment, however, upon securing employment in July due to her work hours which were Monday through Friday from 9:00 a.m. to 9:00 p.m.

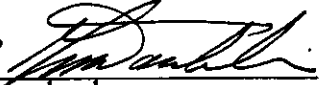
Space is provided below for the Court's directive in this matter.

Respectfully submitted by,


Carolann Avallone-Riccardi
U.S. Probation Officer

Date: June 16, 2005

Approved by,


George V. Doerrbecker
Deputy Chief U.S. Probation Officer

Date: June 16, 2005

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above.
☐ The Extension of Supervision as Noted Above
☐ No action
☐ Other

Signed
by
J. Ross
on 6/17/05